

IN THE SUPREME COURT OF THE STATE OF NEVADA

JEANETTE FAYE SADOSKI,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 38916

**FILED**

JUL 25 2002

ORDER DISMISSING APPEAL

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Schalk*  
CHIEF DEPUTY CLERK

This is an appeal from an order of the district court revoking appellant's probation.<sup>1</sup> Appellant was originally convicted, pursuant to a guilty plea, of one count of attempted theft, a gross misdemeanor. The district court sentenced appellant to a suspended sentence of one year in the county jail, and placed appellant on probation for a period not to exceed three years.

Less than a month after the entry of the judgment of conviction, the State filed a notice of intent to seek revocation of appellant's probation, based on charges that were filed against appellant in a separate proceeding prior to sentencing in the instant case. Rather than revoke appellant's probation, the district court sentenced appellant for felony attempted theft to a prison term of 12 to 32 months and again suspended the sentence and placed appellant on probation for a period not to exceed three years. The amended judgment of conviction was entered

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<sup>1</sup>The district court's order is entitled, "Order for Revocation of Probation and Amended Judgment of Conviction." The order does not, however, amend the judgment of conviction, it merely revokes appellant's probation.

on November 21, 2000. No notice of appeal was filed from the amended judgment of conviction.

On November 7, 2001, the district court revoked appellant's probation and ordered her to serve the 12 to 32 month sentence previously imposed. This appeal followed.

Appellant does not contend that the district court erred by revoking her probation. In fact, appellant does not inform this court why appellant's probation was revoked, nor has a transcript of the revocation hearing been provided. Appellant's only issue on appeal is that the district court lacked jurisdiction to enter an amended judgment of conviction on November 21, 2000. That argument is not appropriately raised in an appeal from an order revoking probation, and should be raised in the first instance in the district court in a post-conviction petition for a writ of habeas corpus. Accordingly, we

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, J.  
Shearing

  
\_\_\_\_\_, J.  
Rose

  
\_\_\_\_\_, J.  
Becker

cc: Hon. Donald M. Mosley, District Judge  
Clark County Public Defender  
Attorney General/Carson City  
Clark County District Attorney  
Clark County Clerk